

2017 NAAML P Abstract

Biological Assessment of the Ohio Abandoned Mine Land Program

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Federal abandoned mine land (AML) funds established by The Surface Mining Control and Reclamation Act (SMCRA) are administered by the Ohio Department of Natural Resources (ODNR) Division of Mineral Resources Management (DMRM) AML program to address the highest priority problems in Ohio associated with historic coal mining. The National Environmental Policy Act (NEPA) requires agencies who receive federal funding to conduct an environmental review process before taking actions that could have environmental effects. The environmental review process includes compliance with section 7 of the Endangered Species Act (ESA). Challenges exist in complying with the ESA while still completing projects within an acceptable timeframe. The most significant challenge is the stringent tree clearing restrictions that are a result of the listing of the Indiana Bat (IBAT) and Northern Long-Eared Bat (NLEB). Construction schedules often do not coincide with the clearing window that allows DMRM to avoid potentially adversely affecting the IBAT and NLEB. In order to meet the goals of the AML program while minimizing adverse effects to threatened and endangered species, ODNR DMRM submitted a Biological Assessment of the Ohio AML Program to the U.S. Fish and Wildlife Service (USFWS). A geographic information system (GIS) based analysis was conducted to evaluate the historical effects of the AML program's activities to suitable IBAT/NLEB habitat. The results of this analysis were used to estimate the impacts of future AML projects to IBAT/NLEB habitat. By providing this assessment to USFWS, an incidental take permit will be issued for AML project activities in Ohio which will allow DMRM maximum flexibility in bidding and constructing AML reclamation projects.